IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 5345 OF 2007

Ravi Manohar Jethani.... Petitioner

versus

Smt. Simran @ Sunita Ravi Jethani.... Respondent.

Shri J.M.Puranik for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 23RD JULY, 2007

P.C.:

1. The petitioner is the husband whereas the respondent is wife. The parties to the petition got married in January 2000 according to Hindu rites. The petitioner has filed Hindu Marriage Petition, seeking a decree of resolution of marriage by divorce. In the pending petition, the respondent wife made an application claiming interim maintenance. The wife claimed the income of the husband, to be in the range of Rs. 50,000/- per month whereas the petitioner claimed his income to be Rs. 5000/-. Admittedly the petitioner is dealing with manufacture and sale of cables and wires. The petitioner has no financial burden so far as his parents are concerned as his father is a retired Government servant, who is receiving pension and the petitioner's mother is working as a teacher in a school and drawing a salary.

The wife in this set of facts claimed maintenance in the sum of Rs. 11,000/- per month for herself and the infant child, admittedly born out of the marital wedlock. The trial court taking over all view of the matter, has granted maintenance in the sum of Rs. 5000/- per month for the wife and the minor child.

2. Perused the order, The same does not call for any interference in exercise of writ jurisdiction..

3. At this stage, the learned counsel for the petitioner submits that the marriage petition is pending since 2005 and the same needs to be expeditiously disposed of. The learned counsel further points out that till date, no efforts are made for conciliation. Hence i direct the trial court to proceed with the matter expeditiously. I hope and trust that the trial Judge will make an endeavour to take up the conciliation proceeding at the earliest and in case of failure of conciliation, proceed to decide the marriage petition as expeditiously as possible, preferably by the end of May 2008.

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